

The Honorable RONALD B. LEIGHTON

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

MARK CHRISTENSEN,

**Plaintiff,**

V.

**WASHINGTON STATE  
DEPARTMENT OF CORRECTIONS, an  
agency of the State of Washington, et al.,**

### Defendants.

NO. C08-5191

**ORDER DENYING PLAINTIFF'S  
MOTION FOR  
RECONSIDERATION**

**WASHINGTON STATE  
DEPARTMENT OF CORRECTIONS, an  
agency of the State of Washington, et al.,**

## Defendants.

THIS MATTER came before this Court on the Plaintiff's Motion for Reconsideration [Dkt. #37]. Defendant initially sought a continuance, claiming essentially that both parties were unprepared for trial. [Dkt. #28]. Plaintiff, curiously, filed a two page Response which stated in relevant part:

**PLAINTIFF HAS NO RESPONSE TO THE MOTION**

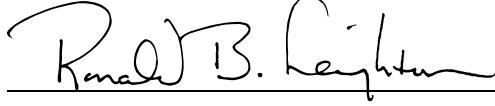
[Dkt. #30]. Thus, the initial Motion was unopposed.

Nevertheless, the court denied the Motion, as the requisite good cause for a continuance had not been shown [Dkt. #32]. Defendant's Motion for Reconsideration [Dkt. #33] addressed this omission, and the court granted the Motion [Dkt. #36].

1 Plaintiff now seeks Reconsideration of that Order, arguing that he was denied the  
2 opportunity to respond. Plaintiff has still not articulated any opposition to a continuance, or  
3 refuted Defendant's claim that *both* parties desire to conduct additional discovery and to  
4 discharge their alternative dispute resolution obligations. Indeed, the Plaintiff filed a "notice of  
5 effort to comply with mediation requirements" [Dkt. #31] which appears to be an admission  
6 that the mediation could not be scheduled prior to the deadline, at least in part due to the  
7 Plaintiff's own error.

8 The Plaintiff's Motion for Reconsideration [Dkt. #37] is DENIED. The parties are  
9 urged to use the time granted to resolve outstanding discovery issues, identify and secure a  
10 mediator, conduct mediation, to timely file any dispositive Motions, and to otherwise prepare  
11 for trial, rather than to engage in motion practice which does little to advance their respective  
12 interests.

13 IT IS SO ORDERED this 24th day of August, 2009.

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15 RONALD B. LEIGHTON  
16 UNITED STATES DISTRICT JUDGE

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